

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/519,978
Applicant : William B. O'NEAL et al
Filed : January 3, 2005
TC/A.U. : 1616
Examiner : Andrae M. Holt

Docket No. : 3165-113
Customer No. : 6449
Confirmation No.: 3208

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 15, 2009

Dear Sir:

In the Office Action dated August 15, 2008, claims 34-59, in the above-identified U.S. patent application were rejected. Reconsideration of the rejections is respectfully requested in view of the following remarks. Claims 34-59 remain in this application and claims 1-33 have been canceled.

Applicants thank the examiner for the interview on August 28, 2008. The following comments reflect the arguments which were presented at the interview.

In the only remaining rejection, claims 34-59 were rejected under 35 USC §103(a) as unpatentable over Sievernich and Baltruschat. Sievernich was cited for the disclosure of component A and Baltruschat was cited for the disclosure of component B. Neither Sievernich nor Baltruschat discloses the combination of component A and component B. As discussed in applicant's prior response, the subject matter of the pending claims is not merely effective but synergistic herbicidal mixtures which include components A and